

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for the courtesy extended to Applicant's representative during the telephone interview on March 8, 2007, and for carefully considering the application.

Status of the Claims

Claims 1-4, 7, 8, 10-23, 26-41, and 43-54 are all the claims pending in the application. Claims 1, 14, 19, 34, and 47 are independent. The remaining claims depend, directly or indirectly, claims 1, 14, 19, 34, and 47.

Amendments to the Claims

In the "Response to Arguments" section of the present Office Action, the Examiner noted that the step of pushing is not recited in the claims. Claims 1, 14, 19, 34, and 47 have been amended for clarity to replace "transmit" with "push" as appropriate. Further, claims 1, 14, 19, 34, and 47 have been amended to recite that the "received data items comprise personalized information *to be* pushed to the subscriber." As apparent in the specification, "pushed" generally means that the server transmits the data items to the terminal of a subscriber without specific request, as contrasted with a "push" system in which a menu or link driven interface is used at the terminal to request data from a server. *Present Application*, pg. 2, para. [0004]. The claim amendments are intended for clarity only and do not present new matter that would require further search by the Examiner. Accordingly, Applicant submits that entry of the above claim amendments under 37 C.F.R. § 1.116 is proper.

Rejections Under 35 U.S.C. § 102

Claims 1-4, 7, 8, 11-17, 19-23, 26-29, 31-39, 41, 43-45, 47-49, 51-53, 55, and 57 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,546,002 (“Kim”).

Claims 55 and 57 have been cancelled in this reply, rendering the rejection moot with respect to claims 55 and 57. For the remaining claim, this rejection is respectfully traversed.

Each of claims 1, 14, 19, 34, and 47 recite received data items comprising personalized information to be pushed to a subscriber according to the provisioning profile associated with the subscriber. The background section of the present application discusses in detail the distinctions between “pushed” data and “pulled” data. Specifically, mobile portals in the prior art typically allow a user to “pull” (i.e. access) data using a menu or link driven interface. *Present Application*, pg. 2, para. [0004]. In contrast, in the present invention as recited in claims 1, 14, 19, 34, and 47, data items are “pushed” (i.e. “transmitted”) to the user based on a provisioning profile. *See, e.g. Present Application*, pg. 16, para. [0040]. Before being pushed to the terminal, the data items are arranged at the server, not the terminal itself.

Kim discloses a mobile interface agent (“MIA”) that is used to manage, access, and retrieve information from network and local memory. *Col. 6, ll. 30-37*. The MIA is installed on a terminal, as shown in Figure 15. With reference to Figure 4 of Kim, the MIA 102 is “coupled to a network 132 so that a user can *access* software programs, applications, files, folders, documents, services, URLs, IP addresses, telephone numbers, television channels, radio stations, multimedia data, user profile data, other MIAs, and other items located *remotely* on the network.” *Col. 7, ll. 12-16 (emphasis added)*. Thus, Kim discloses a pull-type interface (located

on a terminal) for a user to *access* (i.e. pull) information over a network. Kim is silent on *pushing*, from the server, data items to a user based on a provisioning profile, as recited in independent claims 1, 14, 19, 34, and 47.

In response to Applicant's previous arguments, as an example of pushed data, the Examiner noted that the MIA disclosed by Kim can recommend restaurants based on their profile data. However, as shown in Figure 15, the MIA clients 102a and 102b are located on the terminals. Accordingly, any actions performed by the MIA are at the terminal, not at the server. Thus, considering the restaurant recommendations as "data items," the arrangement of those data items occurs at the terminal, not the server as recited in claims 1, 14, 19, 34, and 47. Further, because the MIA is on the terminal, the action of providing restaurant recommendations is pulling, not pushing.

In view of the above, Kim neither shows nor suggests the present invention as recited in claims 1, 14, 19, 34, and 47. Thus, claims 1, 14, 19, 34, and 47 are patentable over Kim. By virtue of their dependence, claims 2-4, 7, 8, 11-13, 15-17, 20-23, 26-29, 31-33, 35-39, 41, 43-45, 48, 49, and 51-53 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. § 103

Claims 40 and 50

Claims 40 and 50 were rejected as being unpatentable over Kim. As discussed above with respect to claims 34 and 47, from which claims 40 and 50 respectively depend, Kim neither shows nor suggests the present invention as recited in claims 34 and 47. By virtue of their

respective dependence, claims 40 and 50 are patentable over Kim for at least the same reasons as claims 34 and 47. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 10, 18, 30, 46, and 54

Claims 10, 18, 30, 46, and 54 were rejected under 35 U.S.C. § 103 as being unpatentable over Kim in view of U.S. Patent No. 5,848,396 (“Gerace”). This rejection is respectfully traversed.

As discussed above with respect to claims 1, 14, 19, 34, and 47, from which claims 10, 18, 30, 46, and 54 respectively depend, Kim neither shows nor suggests the present invention as recited in claims 1, 14, 19, 34, and 47. By virtue of their respective dependence, claims 10, 18, 30, 46, and 54 are patentable over Kim for at least the same reasons as claims 1, 14, 19, 34, and 47. Gerace does not provide that which Kim lacks with respect to claims 1, 14, 19, 34, and 47. For example, Gerace neither shows nor suggests a pushing data items to a user based on a provisioning profile.

In view of the above, Kim and Gerace, whether considered separately or in combination, fail to show or suggest the present invention as recited in independent claims 1, 14, 19, 34, and 47. Thus, independent claims 1, 14, 19, 34, and 47 are patentable over Kim and Gerace. Dependent claims 10, 18, 30, 46, and 54 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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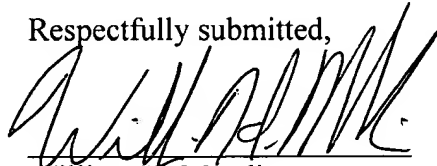
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